

REMARKS

Claims 1-12 have been examined. Claims 1-3 and 5-10 are all the claims pending in the application as claims 4, 11 and 12 are hereby canceled without prejudice or disclaimer.

Claim Rejections - 35 U.S.C. § 112, first paragraph

The Examiner rejected claim 1 under § 112, first paragraph as failing to comply with the written description requirement. In particular, the Examiner alleges that the claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors had possession of the claimed invention.

Applicant respectfully submits that the present Amendments to claim 1 obviate this rejection.

Claim Rejections - 35 U.S.C. § 112, second paragraph

The Examiner rejected claim 1 and 11 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully requests that the Examiner withdraw this rejection in view of the present amendments to claim 1 and the cancellation of claim 11.

Claim Rejections - 35 U.S.C. § 102(b)

The Examiner rejected claims 1-5 and 11-12 under § 102(b) as being anticipated by Till (US 6,435,690). Applicant traverses this rejection as follows.

Applicants respectfully submit that Till fails to disclose at least: (1) “a light emitting space within the case,” “a light mixing space disposed within the case,” and “a window section

formed within a portion of a surface of the case;” and (2) “wherein the light emitting surface is directed toward said light mixing space such that emitted light is directly transmitted through said first side of said light emitting space adjacent to said window section,” as recited in claim 1.

First, Applicant submits that Till is directed to a light channeling space of a case to direct light along the outer perimeter of device 10 separate from the case 30. (col. 2, lines 33-42). The Examiner seems to allege that the emitting apertures 35 and light sources 15 are disposed within a case. However, in contrast, Applicant submits that the light sources 15 and the emitting apertures 35 are not disposed in a single case. Rather, the light sources 15 are disposed within device 10. (*See* FIG. 10). Moreover, Till provides direct support for this position.

[T]he perimeter lighting 20 is provided by a light distribution or illumination case 30 which is disposed over a portion of the external body 10b of the underlying device 10.

(col. 4, lines 15-18).

The case 30 can be configured to releasably attach to the underlying body 10b to allow a user to apply or detach the illumination case at will.

(col. 4, lines 42-44). Thus, Till clearly does not disclose a light emitting space in a case and a window section formed within a portion of a surface of the case. Rather, Till discloses a light sources 15 disposed in a device 10 and emitting apertures 35 disposed in a case 30, which is separate from the device 10.

Second, Applicant respectfully submits Till fails to disclose any light emitting surface that is directed toward a light mixing space such that “emitted light is directly transmitted through said first side of said light emitting space adjacent to said window section.” Till

discloses that case 30 includes a light distribution channel 50. (col. 4, lines 66-67). Assuming, *arguendo*, that the Examiner could construe the distribution channel 50 as the recited light mixing space, the emitted light is not directly transmitted through a portion of the distribution channel 50 adjacent to apertures 35. To the contrary, Till discloses that the light distribution channel 50 includes beam splitters or scatterers 60 disposed along the light enclosing surfaces of the channel 50 to scatter the reflected light. (See FIG. 4, col. 5, lines 59-61). Furthermore, Till discloses that the emitted light is initially directed to beam scatterers 60, 60a (*see* FIGS. 4 & 10), which reflect the light before it enters a portion of the light distribution channel adjacent to the apertures 35. Because the apertures 35 are removed from the light inlet channel 51 of the distribution channel 50, the light is not emitted directly to a portion of channel 50 adjacent to these apertures. (See FIGS. 4 & 10) Therefore, Till fails to disclose emitted light that is directly transmitted through said first side of said light emitting space adjacent to said window section as recited.

Thus, Applicant submits that claim 1 is allowable at least for the reasons set forth above. Additionally, Applicant submits that claims 2-3 and 5 are allowable, at least because of their dependency from claim 1.

Claim Rejections - 35 U.S.C. § 103(a)

(1) The Examiner rejected claim 6 under § 103(a) as being unpatentable over Till in view of Ariga et al (US 5,486,816).

Applicant respectfully submits that because Ariga, either taken alone or in combination with Till, fails to compensate for the above noted deficiencies of Till, that claim 6 is allowable at least because of its dependency.

(2) The Examiner rejected claim 7 under § 103(a) as being unpatentable over Till in view of Shang (US 3,727,115).

Applicant respectfully submits that because Shang, either taken alone or in combination with Till, fails to compensate for the above noted deficiencies of Till, that claim 7 is allowable at least because of its dependency.

(3) The Examiner rejected claims 8-10 under § 103(a) as being unpatentable over Till in view of Kimiaki (JP 2002-252687).

Applicant respectfully submits that because Kimiaki, either taken alone or in combination with Till, fails to compensate for the above noted deficiencies of Till, that claims 8-10 are allowable at least because of their dependency.

Conclusion

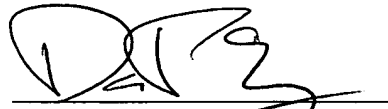
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Appln. No. 10/691,575

Atty. Dkt. No. Q78019

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Emery', written over a horizontal line.

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